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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 21st July, 1989:—

BILL No. 39 OF 1989

A Bill to provide for payment of pension and provision of other facilities to widows.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Widows' Welfare Act, 1989.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short
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ment.

2. In this Act, unless the context otherwise requires,—

Defini-
tions.

(a) "widow" means a female citizen of India who has attained the age of eighteen years and whose husband has died after her legal marriage; and

(b) "pension" means the amount which may be sanctioned in favour of a widow for her maintenance under this Act or any other law for the time being in force.

Establishment of Central Board for widows' welfare.

3. (1) There shall be established by the Central Government a Board to be known as the "Central Board for Widows' Welfare", hereinafter called the "Central Board".

(2) The Central Board shall consist of the following persons, namely:—

(a) Secretary, Ministry of Human Resource Development, Government of India, who shall act as its Chairman;

(b) one representative from each of the State and Union territory Boards established under section 4;

(c) one member from each of the State and Union territory Governments;

(d) two members from amongst persons who are engaged in active social work.

Establishment of State and Union territory Boards for widows' welfare.

4. (1) There shall be established by every State Government and Union territory administration a Board to be known as the "State Board for Widows' Welfare" or the "Union territory Board for Widows' Welfare", as the case may be, hereinafter called the "State Board" or the "Union territory Board", to aid and advise the Central Board in implementing the provisions of this Act.

(2) The State Board or Union territory Board shall consist of a Chairman and such number of members, as may be determined by the respective State Government or the Union territory administration, as the case may be.

Functions of State and Union Territory Boards.

5. Every State Board and Union territory Board shall formulate plans for helping the widows registered under sub-section (1) of section 8.

Pension and other facilities to widows.

6. Every State Government or Union territory administration, as the case may be, in their respective jurisdiction, shall provide the following to every widow who is registered under sub-section (1) of section 8,—

(a) an amount not exceeding rupees seven hundred per month, in case the widow is having two or more living dependant children and rupees three hundred per month in case the widow has no living dependant child, as pension;

(b) residential accommodation free of cost;

(c) free education to dependant children upto high school level; and

(d) employment to the widow or her dependant children by providing reservation in public employment:

Provided that if a widow gets re-married, all the facilities provided to her and her children under this Act shall be withdrawn.

Establishment of District Committees.

7. (1) There shall be established in every district by the respective State or Union territory Board, a Committee to be known as the "District Committee for Widows' Welfare", hereinafter called the "Committee".

(2) The Committee shall consist of a President and such number of other members, as may be determined by the State or Union territory Board, as the case may be.

(3) The District Committees shall work under the control of the respective State or Union territory Board.

8. (1) It shall be the duty of every Committee to register all widows having no independent and adequate means of livelihood irrespective of their caste, creed or colour.

Functions of the District Committees.

(2) The Committee shall give wide publicity through radio net-work, newspapers or other media for registering the widows.

(3) The Committee shall forward the list of the registered widows to the State Board or the Union territory Board, as the case may be.

9. (1) There shall be constituted by the Central Government a fund to be known as the "Widows' Welfare Fund", hereinafter called the "Fund" to carry out the purposes of this Act.

Constitution of Widows' Welfare Fund.

(2) The Fund shall consist of the sums paid into it by the Central Government and grants or donations received from other agencies.

10. The expenses incurred on providing the widows with pension and other facilities under section 6 shall be met out of the Fund.

Expenses to be met out of the fund.

11. Every State and Union territory Board shall work under the guidance and control of the Central Board.

State and Union territory Boards to work under Central Board.

12. This Act shall not affect the provisions of any other pension law for the time being in force but any widow deriving benefit under this Act shall not be entitled to get benefit under any other pension law.

Saving provision.

13. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

There is a large number of widows in the country who have no means to support themselves and their dependant children. They are ill-treated by the people at large. Welfare of widows and their dependant children should be the concern of the Government. The Bill seeks to provide for the payment of pension and provision of other facilities to widows who have no other source of income.

NEW DELHI;

March 27, 1969.

BASAVARAJESWARI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of Central Board for widows' welfare. Clause 4 provides for the establishment of State Boards and Union territory Boards for widows' welfare. Clause 6 provides for the payment of pension, free residential accommodation to the widows and free education to the dependant children of widows upto high school level. Clause 7 provides for the establishment of committees for widows' welfare in every district of the country. Clause 8 provides that the Committee shall give wide publicity through radio net-work, newspapers and other media for registering the widows. Clause 9 provides for the constitution of Widows' Welfare Fund by the Central Government. As far as expenditure on State Boards is concerned, it will be met from the Consolidated Fund of the respective States. But, expenditure to be incurred on Union territory Boards and expenses relating to payment of pension, etc. to widows in Union territories, shall be met from the Consolidated Fund of India. The Bill, therefore, if enacted, is likely to involve an estimated annual recurring expenditure of about rupees one hundred crores from the Consolidated Fund of India.

A non-recurring expenditure of about rupees fifty crores is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

SUBHASH C. KASHYAP.
Secretary-General.